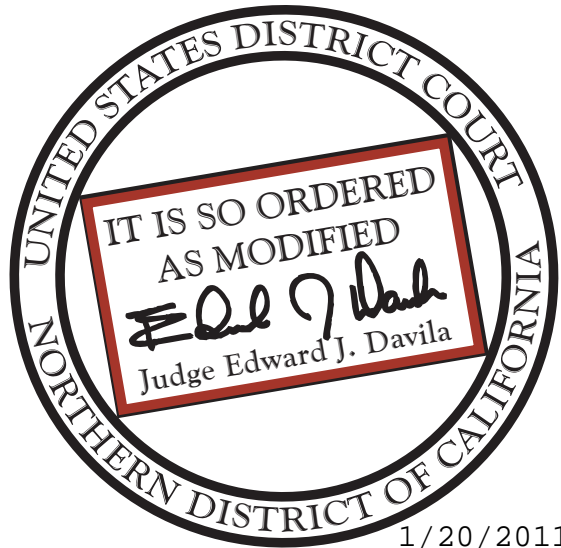


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
STEVEN LEE VARGEM,)
)
Defendant.)
)

No. 10-CR-729 EJD

STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING TO
JANUARY 30, 2012

The Parties, acting through respective counsel, hereby stipulate, subject to the Court's approval, that the hearing currently set for January 23, 2012 at 1:30 pm be vacated, and that the hearing be re-set for February 6, 2012 at 1:30 pm. The parties are requesting the continuance of the hearing due to the need for additional time for effective preparation and the need to jointly negotiate a resolution in this matter.

The parties stipulate that the time between January 23, 2012 and February 6, 2012, is excluded under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Finally, the parties agree that the ends of justice served by granting the requested continuance outweigh the best interest of

1 the public, and the defendant in a speedy trial and in the prompt disposition of criminal cases. 18
2 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).
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7 DATED: January 19, 2012

MELINDA HAAG
United States Attorney

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10 /s/
Carolyn A. Sanin
Special Assistant United States Attorney
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13 /s/
Don Kilmer
Attorney for Defendant
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16 ~~PROPOSED~~ **PROPOSED ORDER**

17 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY
18 ORDERS that the hearing in this matter previously set for January 23, 2012 at 1:30 pm is
19 vacated, and the matter is continued to February 6, 2012 at 1:30 pm.
20 IT IS SO ORDERED.

21 DATED: January 20, 2012


EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE
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